

From: Little, Kevin
Sent: Tuesday, July 29, 2008 3:01 PM
To: Harris, Bradley
Subject: RE: 10713904

Brad,

The provisional cannot be claimed as priority because this applicant converted the provisional 60401238 to the application number above. ON 7-22-03 this applicant paid the proper fees and requested a conversion from provisional to nonprovisional. While this doesn't happen as much as the reverse, nonprovisional to provisional, it does happen. The petition was originally dismissed on 01-07-04 but then granted on 1-21-04.

Thus, the applicant cannot make this benefit claim.

-----Original Message-----

From: Harris, Bradley
Sent: Tuesday, July 29, 2008 2:19 PM
To: Little, Kevin
Subject: FW: 10713904

Kevin,

Can you lend some assistance with this application?

On 05-02-08 the examiner approved an amendment that adds a "priority" statement to the beginning of the specification (SPEC 03-24-08).

RTIS is not able to add this relationship in pre-exam in order to update the BIB.

I think something in this applications history may have not been handled correctly. Can you please look at this and see if you can get the corrected?

Thanks.

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